

#5

JUN 09 2006

TOWN OF WELLESLEY



MASSACHUSETTS

ALBERT S. ROBINSON, TOWN COUNSEL

TELEPHONE (781) 235-3300
TELECOPIER (781) 235-8090

40 GROVE STREET
WELLESLEY, MA 02482-7729

June 8, 2006

Hans Larsen, Executive Director
General Government Services
Town Hall
Wellesley, MA 02482

RE Land Exchange re 12 Marvin Road;
Article 20, Warrant for the 2005 Annual Town Meeting;
Proposed Home Rule Petition

Dear Hans:

Enclosed for your review is a draft of the referenced Home Rule Petition. I am copying the Natural Resources Director and Town Engineer for their review as well. The Town Engineer will note that the proposed legislation includes authorization in the Town to grant back to the owners, on the parcel to be conveyed to the Town, an easement to allow a storm drainage pipe to pass through at his recommendation.

When ready, it should be sent to Representative Peisch accompanied by the Town Clerk's certification which is also enclosed. Stephanie advises that the Selectmen's actual signatures are no longer required as part of the protocol.

I am proceeding to review the title, and by a copy of this letter to the Treasurer am requesting his certification as to whether there are any municipal liens.

Very truly yours,

Albert S. Robinson

ASR:mp

File: WG—208-VV

Asr\town\atm05\marvinrd\larsen6-8-06ltr.

cs: Janet Bowser, Director, Natural Resources Commission

Kathleen F. Nagle, Town Clerk

Stephen S. Fader, Town Engineer

Marc V. Waldman, Treasurer



TOWN OF WELLESLEY

MASSACHUSETTS

TOWN MEETING

This is to certify that the following action was taken under Article 20, Motion 2 at an adjourned session of the 2005 Annual Town Meeting held on April 11, 2005 in pursuance of a Warrant dated January 18, 2005.

VOTED, unanimously, that pursuant to M.G.L. Chapter 40, § 3, the Board of Selectmen is hereby authorized to convey the parcel of parkland within the Fuller Brook Park shown on the plan hereinafter referred to, containing approximately 923 square feet of land according to said plan, to Erik Garpestad and Kathleen E. Walsh (Garpestad and Walsh) in exchange for the conveyance to the Town, for parkland purposes, to be held under the jurisdiction of the Natural Resource Commission, of a parcel of land currently owned by Garpestad and Walsh as shown on said plan containing approximately 960 square feet of land according to said plan, thus resulting in a net increase of approximately 37 square feet of additional parkland to be owned by the Town. The plan herein referred to being entitled "Plan of Land in Wellesley, MA, 12 Marvin Road" prepared by Bruce Bradford, Professional Land Surveyor, Everett M. Brooks Co., dated February 9, 2005, scale 1"=20', a copy of which is on file in the Office of the Town Clerk.

The Board of Selectmen is also authorized to grant an easement to the owner of 12 Marvin Road to allow a storm drainage pipe to pass through town owned parkland as shown on the above referenced plan.

Provided, the foregoing conveyance is further authorized by special act of the General Court, the Board of Selectmen being authorized to file a Home Rule Petition seeking such authority.

Dated: June 7, 2006

Attest:

Kathleen F. Nagle
Town Clerk